

RULES AND ARTICLES

For the better Government of

His Majesties Land-Forces
IN PAYT O

Published by His Majesties Command.



L O N D O N,

Printed by *Charles Bill, Henry Hills, and*
Thomas Newcomb, Printers to the King's
most Excellent Majesty, 1688.

JAMES R.

Our Will and Pleasure is,
That the several Rules and
Articles made by Us, for the
better Government of Our Land
Forces, be duly observ'd under
the Pains and Penalties therein
expressed.

RULES AND ARTICLES

For the better Government of His
Majesties Land-Forces in Pay.

ART. I.



ALL Officers and Soldiers (not having just Impediment) shall diligently frequent Divine Service and Sermon, in such Places as shall be

Divine Service and Sermon to be frequented.

appointed for the Regiment, Troop, or Company, wherein they serve; And such as either wilfully or negligently Absent themselves from Divine Service or Sermon, or else, being present, do behave themselves undecently or irreverently during the same; If they be Officers, They shall be severely reprehended at
A 2 a Court.

The Penalty of absenting from Divine Service, or irreverent behaviour during the same.
1. If Officers.

2. If Soldiers.

a Court-Martial; But if private Soldiers, They shall for every such first Offence forfeit each man Twelve Pence, to be deducted out of their next Pay; And for the second Offence, shall forfeit Twelve Pence and be laid in Irons for Twelve hours; And for every like Offence afterwards, shall suffer and pay in like manner.

ART. II.

No Commodity to be put to sale in time of Divine Service or Sermon.

If any Butler or Seller of Ale, Beer, Wine, or any sort of Drinke, Bread, Meats, or other Commodities or Merchandize whatsoever attending his Majesties Forces, during the time of Divine Service or Sermon, set any such thing to sale he shall forfeit the full value thereof for the use of the Poor.

The penalty.

ART. III.

The penalty of Swearing or Cursing.

Whosoever shall use any unlawful Oath, or Ereccration (whether Officer or Soldier) shall incur the Penalties express in the first Article.

ART. IV.

If any Officer or Soldier shall pre-
sume

Who shall blaspheme the Holy and Undivided Trinity, or the Persons of God the Father, God the Son, or God the Holy Ghost; Or shall presume to speak against any known Article of the Christian Faith, he shall have his Tongue Bored through with Red-hot Iron.

The Penalty of Blaspheming the Persons of the Holy Trinity, or speaking against any known Article of the Christian Faith.

ART. V.

If any Officer or Soldier shall Abuse or Profane any Place Dedicated to the Worship of God, or shall offer Violence to any Chaplain of the Army, or any other Minister of Gods Word, he shall suffer such Punishment as shall be inflicted on him by a Court-Martial.

The Penalty of Profaning Churches, or offering violence to Chaplains or Ministers.

And whosoever shall take any of the Arsenals or Ordnances belonging or Dedicated to Gods Worship, in any Church or Chappel, shall suffer Death for the Fact.

Penalty of Robbing or Plundering Churches or Chapels.

ART. VI.

All Officers of what Quality or Condition soever, shall take the following Oath, which shall be Administered to them, by such Person or Persons, and in such Places as His Majesty, His General, Lieutenant-General,

All Officers and Soldiers are to take the Oath of Fidelity.

To be administered as the King or Commander in Chief shall appoint.

General, or Commander in Chief of the Forces for the time being, shall appoint.

The Oath of Fidelity to be taken by every Officer and Soldier in the Army.

The Oath of Fidelity to be taken by all Officers and Soldiers.

I A. B. Do Swear to be true and faithful to my Sovereign Lord King *JAMES*, and to His Heirs and Lawful Successors; And to be Obedient in all things to His General, Lieutenant-General, or Commander in Chief of His Forces, for the time being. And will behave my self obediently towards my Superiour Officers in all they shall command me for His Majesty's Service. And I do further Swear, That I will be a true, faithful, and obedient Servant

(7)

vant and Soldier, every way
performing my best Endeavours
for His Majesty's Service,
Obeying all Orders, and Submitting
to all such Rules and Articles of War,
as are or shall be Established by His Majesty :
And I do likewise Swear, That
I believe, That it is not lawful
upon any Pretence whatsoever,
to take Arms against the King ;
And that I do Abhor that Trai-
terous Position of taking Arms
by His Authority against His
Person, or against those that are
Commissioned by Him.

So help me God.

A 4

ART.

ART. VII.

The Penalty of
Traiterous
Words against
the King.

No Officer or Soldier shall use any Traiterous Words against the Sacred Person of the King's Most Excellent Majesty upon Pain of Death.

ART. VIII.

The Penalty of
Corresponding
with Rebels or
Enemies.

Whosoever shall hold Correspondence with any Rebel or Enemy of his Majesty, or shall give them Advice or Intelligence either by Letters, Messages, Signs, or Tokens, or any manner of way whatsoever, shall suffer Death. And whatever Regiment, Troop, or Company shall Treat with such Rebels or Enemies, or enter into any Condition with them without his Majesties Leave, or Leave of the General, Lieutenant-General, or of the Chief Commander in his absence; and the Officers of such Regiment, Troop or Company who are found guilty shall die for it; and of the Soldiers who shall consent therunto, every tenth Man by Lot shall be hanged, and the rest punished at the Discretion of the General Court-Martial; But whatsoever Officers or Soldiers can prove that they did their utmost to resist

The Penalty of
Treating or En-
tring into any
Condition with
them.

exist and avoid such a Treaty, and
 here no Partakers of the Crime,
 they shall not only go free, but shall
 also be Rewarded for their Constancy
 and Fidelity.

ART. IX.

Whosoever shall go about to En-
 ce or Perswade either Officer or
 Soldier to joyn or engage in any
 Traiterous or Rebellious Act, either
 against the Royal Person of the King
 or the Kingly Government, shall suffer
 Death for it; And whoever shall not
 reveal to his Superior Officer such a
 Conspiracy so soon as ever it shall
 come to his knowledge, shall be judg-
 ed equally guilty with the Contri-
 vers of such a Plot or Conspiracy, and
 consequently shall suffer the same Pe-
 nalty.

The Penalty on
 the Concealers
 and Contrivers
 of any Traite-
 rous Conspira-
 cy.

ART. X.

If any Officer or Soldier shall be-
 have himself disrespectfully towards
 the General, Lieutenant General, or
 other Chief Commander of the Ar-
 my, or speak words tending to his
 Hurt or Dishonour, he shall be punish-
 ed according to the Nature and Qua-
 nty of the Offence by the Judgment of
 the General Court-Martial.

The Penalty of
 disrespectful Be-
 haviour, or
 dishonourable
 Words against
 the General,
 Lieutenant Ge-
 neral or other
 Chief Com-
 mander.

ART.

ART. XL

The Penalty of
Drawing a
Sword in the
presence of the
General, Lieu-
tenant General,
or Commander
in Chief.

Whoever shall presume in the
Presence of the General, Lieutenant
General, or other Commander in
Chief, to draw his Sword with a pur-
pose to do any Violence, or any of his
Fellow Soldiers mischief, shall suffer
such Punishment as a Court-Martial
shall think fit to inflict upon him for
the said Offence.

ART. XII.

The Penalty of
violating a Safe
Conduct or Pro-
tection given
by His Majesty,
the General,
Lieutenant Ge-
neral or other
Chief Com-
mander.

Whoever shall presume to violate
any Safe Conduct or Protection gi-
ven by his Majesty, the General,
Lieutenant-General, or other Com-
mander in Chief (knowing the same)
shall suffer Death, or such other Pu-
nishment as shall be inflicted on him
by the General Court-Martial.

ART. XIII.

Penalty of Mu-
tiny.

No Man shall presume so far as to
raise or cause the least Mutiny or Se-
dition in the Army, upon Pain of
Death, or such other Punishment as
a Court-Martial shall think fit. And
if any number of Soldiers shall pre-
sume to assemble to take Counsel a-
mongst

ought themselves for the demand-
 ing their Pay, any Inferior Officers
 necessary thereunto, shall suffer Death
 for it, as the Heads and Ring-leaders
 of such Mutinous and Seditious
 Meetings; And the Soldiers shall
 be punished either with death or other-
 wise at the Discretion of the General
 Court-Martial: And if any Captain
 being present thereunto shall not sup-
 press the same, or complain of it,
 he shall likewise be punished with
 death, or such other Punishment as
 the General Court-Martial shall
 think fit.

Of Soldiers in
 Mutinies.

Of Captains not
 suppressing or
 complaining of
 Mutinies to
 which they are
 privy.

ART. XIV.

No Officer or Soldier shall utter
 any words tending to Sedition or
 mutiny upon pain of uttering such
 Punishment as shall be indicated on him
 by a Court-Martial.

Penalty of
 speaking Muti-
 nous and sediti-
 ous words.

And whosoever shall hear any Muti-
 nous or Seditious Words spoken,
 and shall not with all possible speed re-
 veal the same to his Superior Officer,
 shall be punished as a Court-
 Martial shall think fit.

The Penalty of
 not Revealing
 Mutinous
 words.

ART.

ART. XV.

The Penalty of
Inferior Offi-
cers or Soldiers
resisting their
Superior Offi-
cers.

If any Inferior Officer or Soldier shall refuse to obey his Superior Officer, or shall quarrel with him, or shall be Castered, or suffer such Punishment as a Court-Martial shall think fit.

The Penalty of
drawing upon
them, or stri-
king them, or
offering to
draw or strike
them.

But if any Officer or Soldier shall presume to resist any Officer in the Execution of his Office, or shall strike, or lift up his hand to strike, or shall draw, or offer to draw, or lift up any Weapon against his Superior Officer upon any Pretence whatsoever, he shall suffer Death, or such other Punishment as the General Court-Martial shall think fit.

ART. XVI.

Silence to be
kept by all
Soldiers whilst
the Army is
Marching, Em-
battelling, or ra-
king up their
Quarters.

Every Soldier shall keep Silence when the Army is Marching, Embattelling, or taking up their Quarters (to the end that their Officers may be heard, and their Orders executed upon Pain of Imprisonment, or such other Punishment as a Court-Martial shall think fit, according to the Circumstance and Aggravation of the Fact.

ART

ART. XVII.

All Murders and wilful killing of any Person, shall be punished with Death.

ART. XVIII.

All Robbery and Theft committed by any Person in or belonging to the Army, shall be punished with Death, or otherwise as the Court-Martial upon consideration of the Circumstances shall think fit.

ART. XIX.

Whoever shall in anger draw his sword whilst his Colours are flying, either in Battel, or upon the March, unless it be against the Enemy, shall suffer such Punishment as a Court-Martial shall think fit.

The Penalty of any Mans drawing a sword but against the Enemy, whilst his Colours are flying.

ART. XX.

When any March is to be made, every Man who is sworn shall follow his Colours; and whoever shall without leave stay behind, or depart above Mile from the Camp, or out of the Army without Licence, shall suffer such Punishment as shall be inflicted on him by a Court-Martial.

The Penalty if any one stays behind his Colours.

ART.

ART. XXI.

The Penalty if
any one extort
Free Quarter,
commit any
spoil or waite,
&c. in a March.

No person shall extort Free quarter, or shall commit any Waste, Spoil or deface Walks of Trees, Parks, Warrens, Fishponds, Ponds or Gardens, tread down, or otherwise destroy Standing Corn in the Field, or shall put their Horses into the same without Leave from their Superior Officer, upon pain of severe Punishment; But if any Officer or Soldier shall exact Money, or willfully Burn any House, Barn, Stack of Corn, Hay or Straw, or any Ship, Boat or Carriage, or any thing which may serve for the Provision of the Army, without Order from the Commander in Chief, he shall suffer Death for it.

The Penalty of
Burning Houses,
Spoiling
Corn, Hay, &c.

ART. XXII.

The Penalty if
any one run
from his Colours.

Whoever shall run from his Colours, or doth not defend them to the utmost of his Power, shall suffer Death.

ART. XXIII.

If any Officers or Soldiers, Regiment, Troop, or Company, or Commanded Party, shall not behave themselves in Fight against an Enemy as they ought to do, they shall suffer such Punishment as the General Court-Martial shall inflict.

The Penalty if a Regiment, &c. shall not behave themselves as they ought to do.

ART. XXIV.

When it shall please God that his Majesty's Forces shall beat the Rebels, or Enemy, every Man shall follow his Officer in the Chase; but whoever shall presume to Pillage or Plunder till the Rebels, or Enemy be entirely beaten, he shall suffer Death, or such other Punishment as shall be pronounced against him by the General Court-Martial; and the Pillage so taken shall be forfeited to the use of the sick and maimed Soldiers.

The Penalty of Plundering before the Enemy be entirely beaten.

ART. XXV.

In what Place soever it shall please God that the Rebels or Enemy shall be subdued or overcome, all the Ordnance, Ammunition and Victuals that shall be there found, shall be secured

The Enemies Ammunition and Victuals that shall be taken, shall be for His Majesties use, and a tenth of the Spoil to

be laid apart
for the sick and
maimed Soldi-
ers.

red for his Majesties use, and for
better Relief of the Army; and
tenth part of the Spoil shall be
apart towards the Relief of the
and maimed Soldiers.

ART. XXVI.

The Penalty of
not keeping the
Quarters clean.

All Officers whose Charge it
shall see the Quarters kept clean
neat upon pain of severe Punishment.

ART. XXVII.

The Penalty of
lying all Night
out of the Camp
or Garrison.

No Officer shall lie out all Night
from the Camp or Garrison without
his Superior Officer's Leave, upon
pain of being punished for it as a
Court-Martial shall think fit.
shall any Soldier or Officer go
By way to the Camp, or other the
the Common Way laid out for
upon pain of being punished as aforesaid.

ART. XXVIII.

The Penalty of
shooting a Mus-
ket in the night,
after the Watch
is set, unless at
an Enemy.

No Soldier shall presume to make
any alarm in the Quarters by shoot-
ing off his Musket in the Night after
the Watch is set, unless it be at
Enemy; upon pain of suffering the
Punishment as a Court-Martial shall
inflict.

ART. XXIX.

No Soldier shall in anger draw his Sword in any Camp, Post, or Garrison, upon pain of suffering such Punishment as a Court-Martial shall inflict upon him for the same.

The Penalty of Drawing a Sword in Camp or Garrison.

ART. XXX.

When warning is given for Setting the Watch, by Beat of Drum, or Sound of Trumpet, if any Soldier shall Absent himself without reasonable Cause, he shall be punished by striking the Wooden Hoyle, or otherwise at the Discretion of the Commander.

The Penalty if a Soldier absent himself from the Watch when warning is given.

And whoever shall fail at the Beat of a Drum, or Sound of a Trumpet, or upon an Alarm given, to repair to his Colours, with his Arms presently kept, and well fixed (unless there be an evident necessity to hinder him from the same) he shall either be put in Irons for it, or suffer such other Punishment as a Court-Martial shall think fit.

The Penalty if a Soldier do not at the Beat of Drum, or Sound of Trumpet, or an Alarm, repair to his Colours.

ART. XXXI.

The Penalty of making known the Watch-word, or giving a false one.

Whoever makes known the Watch-word without Order, or gives another Watch-word but what is given by the Officer, shall suffer Death, or such other Punishment as the General Court-Martial shall think fit.

ART. XXXII.

The Penalty of a Centinel sleeping, when he should be upon Duty.

A Centinel who shall be found sleeping in any Post, Garrison, Trench, the like, (while he should be upon Duty) shall suffer Death, or such other Punishment as the General Court-Martial shall inflict for the same.

The Penalty if a Centinel or Perdue forsake his Place, before he be Relieved, or Drawn off.

And if a Centinel or Perdue forsake his Place, before he be relieved or drawn off; or upon discovery of an Enemy, shall not give Warning to his Quarters, according to Direction, he shall suffer Death, or such other Punishment as the General Court-Martial shall think fit.

The Penalty of a Scout neglecting his duty.

And if any Soldier employed as a Scout, shall not go upon that Service so far as he is commanded, or being discovered an Ambush, or Approach of the Enemy, shall not return forthwith to give Notice or Warning to his Quarters; or if he enter into

any House, and there or elsewhere be found sleeping or drunk, whilst he should have been upon Service, he shall suffer Death, or such other Punishment as shall be inflicted upon him by the General Court-Martial.

ART. XXXIII.

Whoever shall do violence to any who shall bring Victuals to the Camp or Garrison, or shall take his Horse or Goods, shall suffer Death, or such other Punishment as the General Court-Martial shall inflict.

If any shall presume to beat or abuse his Host, or the Wife, Child, or Servant of his Host, where he is Quartered, he shall be put in Irons for it: And if he do it a second time, he shall be further punished; and the Party wronged shall in both Cases have a Reward made him,

And whoever shall force a Woman to abuse her (whether she belong to the Enemy, or not) and the Fact be sufficiently proved, shall suffer Death for it.

The Penalty of robbing or abusing any who bring Provisions into the Camp or Garrison.

The Penalty is any Soldier abusing or beat his Host, his Hosts Wife, Child, or Servant.

Penalty of Ravishing.

ART. XXXIV.

No Soldier or Officer shall use any reproachful or provoking Speech or Language to another upon pain of Imprisonment,

The Penalty of reproachful or provoking Speech or act.

The Penalty of
sending or ac-
cepting a Chal-
lenge.

Either for Offi-
cers

Or private Sol-
diers.

The Penalty if
any Officer
knowingly suf-
fer any to go
out to fight a
Duel.

All Officers
shall have pow-
er to part or
quell all Frays,
&c.

ment, and such further Punishment
as a Court-Martial shall think fit.

Nor shall any Officer or Soldier
presume to send a Challenge to
other Officer or Soldier to fight
Duel; Neither shall any Soldier
Officer upbraid another for refusing
Challenge; And we do acquit and
discharge all Men that have Quar-
rels offered, or Challenges made
them, of all Disgrace, or opinion
Disadvantage, since they but do the
Duties of Soldiers, who ought
subject themselves to Discipline; and
they that provoke them, shall be pro-
ceeded against as Breakers of Dis-
cipline, and Enemies to Our Service.
And whoever shall offend in either
these Cases, if he be an Officer,
shall be cashiered; and if a private
Soldier, he shall Ride the Wooden
Horse, and be further punished as
Court-Martial shall think fit. And
any Corporal or other Officer Com-
manding a Guard, shall willingly
knowingly suffer either Soldiers
Officers to go forth to a Duel, he shall
be punished for it by the Sentence of
Court-Martial.

And all Officers of what Condition
soever, have power to part and quell
Quarrels, Frays or sudden Disorders
between Soldiers and Officers, to

of another Company, Troop or Regiment, and to commit the disorderly Persons to Prison, until their proper Officers be acquainted therewith.

Whoever shall resist such an Officer (though of another Company, Troop, or Regiment) or draw his Sword upon him, shall be severely punished as the General Court-Martial shall appoint.

Penalty of resisting an Officer.

And if Two or more going into the Field to fight a Duel, shall draw their Swords or other Weapons and fight, though neither of them fall upon the Spot, nor die afterwards of any Wound there received, yet if they be Officers, they shall be cashiered; and if common Soldiers, they shall be punished with Riding the Wooden Horse, or suffer such other Punishment as a Court-Martial shall direct.

The Penalty of going into the Field and there drawing Swords, though no death ensue.

And lastly, in all Cases of Duels, the Seconds, and Carriers of Challenges, shall be taken as Principals, and punished accordingly.

The Seconds and Carriers of Challenges in all Duels, shall be reputed Principals.

ART. XXXV.

All Passes and Licences for being absent, shall be brought to the Muster-Master, who is required to Enter the same in a Book fairly written, to prevent Collusion; And whoever is ab-

Those who have Passes and shall exceed their time, shall not receive their pay.

sent longer than the time limited
his Pass for his absence, shall be
spited, and not allowed the Muster
without Order from his Majesty,
General, or other Commander
Chief of his Majesties Forces.

ART. XXXVI

Sick Soldiers
are to have care
taken of them.

If any Soldier be sick, wounded,
maimed in his Majesties Service,
shall be sent out of the Camp to some
fit Place for his Recovery, where
shall be provided for by the Officer
pointed to take care of sick and wound-
ed Soldiers, and his Wages or Pay
shall go on and be duly paid till it be
appear that he can be no longer ser-
viceable in the Army, and then he shall
be sent by Pass to his Countrey, with
Money to bear his Charges in his
Trabel, or such other Provision shall
be made for him, as his Majesty shall
direct.

ART. XXXVII

All Commissi-
ons to be En-
tered.

All Commissions granted by his
Majesty, the General, or Command-
in Chief of his Majesties Forces,
any Officer in Pay, shall be brought to
the Commissary of the Musters, and
Secretary at War, who are to receive

and Enter the same in a Book fairly
written; and no Commission Officer
shall be allowed in Muster, without a
Commission from his Majesty, or the
Commander in Chief for the time be-
ing, and the same Entered with the
Commissary-General of the Musters,
or his Deputies, and Secretary at
War.

ART. XXXVIII.

No Commission Officer after En-
rollment and being Mustered, shall be
Dismissed or Cashiered without Order
from his Majesty, the General or
Commander in Chief for the time be-
ing, or a General Court-Martial:
But the Captains with the approba-
tion of their Colonels, or of the Go-
vernour of the Garrison where they
are, may discharge any Non-Com-
mission Officer, or Private Soldier
when they find cause, taking other
Non-Commission Officers or Soldi-
ers in their Places; Provided that
such Colonel or Governour shall forth-
with certifie the Commissary General
of the Musters, That (by their approba-
tion) such Non Commission Officers
or Soldiers were discharged, and o-
thers taken into their Places respec-
tively. And in Quarters and Garri-

No Commission
Officer to be
Cashiered but
by Order from
His Majesty, or
the General, or
a General
Court-Martial.

But Non-Com-
mission Officers
and Soldiers
may be dismiss.

sons where they are only single Troop or Companies, the Captains Certificates are forthwith to be sent and accepted by the Commissary-General expressing the Day of each Month Commission Officers or Soldiers Discharge or Death, and who has been entertained in his Place.

ART. XXXIX.

Captains to keep their Troops and Companies full. No Soldiers Duty to be done by another.

All Captains shall use their utmost Endeavours to have their Troops and Companies compleat and full, and no Soldiers Duty, either of Horse or Foot, shall be done by any other than the Soldier himself; But in case of Sicknes or Disability, or other necessary Cause, his Captain may dispence with his absence, without obliging him to find another to Serve in his stead.

ART. XL.

The Penalty of Pawning, Selling, or Spoiling Arms.

If any Trooper or Dragoon shall lose or spoil his Horse, or any Foot Soldier his Arms, or any part thereof by Negligence or Gaming, he shall remain in the quality of a Pioneer or Scavenger, till he be furnished at his own Charge, with as good as were lost; And if he be not otherwise able

the one half of his Pay shall be deduct-
ed and set apart for the providing of it
and shall be re-furnished.

Nor shall any Soldier sell, or neg-
ligently or wilfully break his Arms,
or any part thereof, or any Hatchets,
Spades, Shovels, Pick-axes, or
other Necessaries of War, upon
pain of severe punishment, at the
discretion of the General Court-Mar-
tial. And where Arms, or other Ne-
cessaries aforesaid shall be pawned,
they are to be forfeited, and seized on
for his Majesties use,

The Penalty of
Selling, or
Breaking Arms,
&c.

ART. XLI.

All Officers and Soldiers, and also
the Muster-Masters, not duly obser-
ving these Orders and Instructions,
and every of them respectively, shall
be Cashed, or liable to such other
Punishments as His Majesty, or
Commander in Chief of the Forces,
or a Court-Martial shall appoint.

The Penalty of
Officers and Sol-
diers not obey-
ing these Or-
ders.

ART. XLII.

None shall presume to spoil, sell, or
convey away any Ammunition deli-
vered unto him, upon pain of suffering
death, or such other punishment as the
General Court-Martial shall think fit.

Penalty of Sel-
ling or Convey-
ing away any
Ammunition or
Victuals,

ART.

ART. XLIII.

The Penalty of
Imbezling Vi-
tuals or Am-
munition.

No Officer, Provinder or Keeper of the Victuals or Ammunition for the Majesties Forces shall imbezle or wilfully spoil or give a false Account of any part thereof to whom he is to make his Account, upon pain of suffering Death, or such other Punishment as the General Court-Martial shall think fit.

ART. XLIV.

The Penalty of
Providing un-
sound or unsa-
vory Victuals
for the Army.

No Commissary or Victualler shall bring or furnish unto the Camp any unsound or unsavory Victuals of what kind soever, whereby sickness may grow in the Army, or the Service be hindered; and if upon Examination before the General Court-Martial he shall be found guilty, he shall suffer such Punishment as they shall direct.

ART. XLV.

No Officer or
Soldier to be a
Victualler.

No Officer or Soldier shall be a Victualler in the Army upon pain of being punished at discretion.

ART. XLVI.

No Victualler or Seller of Beer, Ale, or Wine belonging to the Army, shall Entertain any Soldier in his house, Booth, Tent or Hutt after the Warning-Piece, Tattoe or Beat of the Drum at night, or before the Beating of the Reveilles in the morning; Nor shall any Soldier within that time be any where but upon his Duty, or in his Quarters, upon pain of Punishment both to the Soldier and Entertainer, at the Discretion of a Court-Martial.

The Penalty of Entertaining Soldiers after the Tattoe, or before the Reveilles in the Morning.

ART. XLVII.

The Commission-Officers of every Regiment may hold a Court-Martial for that Regiment upon all necessary Occasions.

The Provost-Martial of every Regiment shall have the same privilege in his own Regiment as the Provost-Martial General hath in the Army or Camp, and such Fees also as the Court-Martial shall allow.

Every Regiment may have a Court-Martial and a Provost-Martial and other Officers necessary for a Court.

ART.

ART. XLVIII.

The Duty of
the Judges.

Such who are Judges in a General Court-Martial or in a Regimental Court-Martial, shall hold the same Rank in those Courts as they do in the Army for Orders sake, and they shall take an Oath for the due Administration of Justice according to the Articles, or (where these Articles do not assign any special Punishment) according to their Consciences, to the best of their Understandings, and to the Custom of War in the like Cases, and shall demean themselves orderly in the hearing of Causes, and before giving of Sentence every Judge shall deliver his Vote or Opinion distinctly, and the Sentence is to be according to the plurality of Votes, and if they happen to be an equality of Votes, the President is to have a casting Voice.

The President
must pronounce
the Sentence.

And when Sentence is to be given, the President shall pronounce it; and after that the Sentence is pronounced, the Provost-Martial shall have Warrant to cause Execution to be done according to Sentence.

ART. XLIX.

At a General Court-Martial there shall be a Clerk who is to be sworn to make true and faithful Records of all the Proceedings of that Court, and there shall be also such other Officers appointed both for that, and also for the Regimental Court-Martial as shall be necessary; and the General Court-Martial may appoint and limit the Fees of the Provost Marshal-General as they shall think fit.

A Sworn Clerk
to attend the
General Court-
Martial.

ART. L.

All controversies either between Soldiers and their Captains or other Officers, or between Soldier and Soldier relating to their Military Capacities, shall be summarily heard and determined at the next Court-Martial of the Regiment.

Courts-Martial
to decide Military
Contro-
versies.

ART. LI.

If in any Matter which shall be judged in any of the aforesaid Regimental Courts-Martial either of the Parties shall find himself aggrieved, he may appeal to the General Court-Martial, who are to take Care that

There may be
Appeal made
from the Regi-
mental Courts-
Martial to the
General Court-
Martial.

that if the Party appealing make good his Suggestion, Recompense be made to the other for the trouble and Charge of such an Appeal.

ART. LII.

In all Criminal Causes which concern His Majesty, His Advocate-General is to inform and prosecute.

In all Criminal Causes which concern the Crown, His Majesties Advocate-General or Judge Advocate of the Army, shall inform the Court and prosecute on His Majesties behalf.

ART. LIII.

The Penalty of hindring the Provost-Martial in the Execution of his Duty.

The Penalty of not assisting him.

No Officers or Soldiers shall presume to hinder the Provost-Martial, his Lieutenant or Servant in the Execution of their Office upon pain of Death or such other Punishment as a Court-Martial shall think fit. And all Captains, Officers and Soldiers shall do their utmost to apprehend and bring to Punishment all Offenders, and shall assist the Officers of His Majesties Army or Force therein, especially the said Provost-Martial, his Lieutenant and Servants; and if the Provost-Martial or his Officers require the assistance of any Officer or Soldier in apprehending any Person, declaring to them that it is for a Capital Crime.

the Party escape for want of Aid
Assistance, the Party or Parties
refusing to Aid or Assist shall suffer such
punishment as a Court-Martial shall
inflict.

ART. LIV.

If any Officer or Soldier who shall
refuse to draw his Sword in any
place of Judicature while the Court
is sitting, he shall suffer such punish-
ment as shall be inflicted on him by a
Court-Martial. And the Provost-
Marshal of His Majesties Army is
hereby empowered and directed by his
own Authority to apprehend such Of-
fenders.

The Penalty of
drawing a
Sword in the
place of Judica-
ture, while they
are sitting.

ART. LV.

If any Soldier being committed for
any Offence shall break Prison, the said
Provost-Marshal-General shall by his
own Authority apprehend him, and the
Offender shall suffer Death.

The Penalty of
breaking Prison.

ART. LVI.

If any Fray shall happen within the
Camp or place of Garrison in any of
the Soldiers Lodgings, or where they
meet, it shall be inquired into by the
Offi-

In Case of a
Fray the Offi-
cers of the Re-
giment are to
enquire into it,
and see it pu-
nished.

What an inferior Officer must do if he be wronged.

Officers of the Regiment, and the winners and pursuers thereof punished according to the quality of the Offence.

ART. LVII.

The Penalty of an Officer for doing any thing from a Soldier.

If any Inferiour Officer either Horse or Foot, be wronged by his Officer, he may complain to his Colonel or other Superiour Officer of the Regiment, who is to redress the same upon due Proof made of the Wrong done him; But if he fail therein, the Party grieved is to apply to the General Officer for Redress: And if the Accusation be false, the Complainant is to be punished at the discretion of the Court-Martial.

ART. LVIII.

The Penalty if a Soldier who is wronged go about to help himself.

If any Colonel or Captain shall force or take any thing away from a private Soldier, such Colonel or Captain shall be punished according to the quality of the Offence, by the Judgment of a General Court-Martial.

And if a Soldier shall be wronged and shall not appeal to the Court, but to his Superiour Commander, but to his own Satisfaction for it, he shall be punished by the Judgment of a Court-Martial.

ART.

ART. LIX.

If any Soldier die, no other shall take or spoil his Goods, upon pain of restoring double the value to him to whom they belong, and of such further Punishments as a Court-Martial shall think fit. But the Captain of the Company of which such a Soldier was, shall take the said Goods in his custody, and dispose of them in paying his Quarters, and to keep the overplus (if any be) for the use of those to whom they belong, and who shall claim the same within Three months after his Death.

The Captain is to take care of any Soldiers Goods when he dies.

And if any Captain or Officer die the Chief Commander shall take care of reserving his Estate in like manner.

And the Chief Commander of any superiour Officers Estate.

ART. LX.

No Provost-Martial shall refuse to receive or keep a Prisoner committed to his Charge by Authority, or shall dismiss him without Order, upon pain of such Punishment as a Court-Martial shall think fit.

Penalty if a Provost-Martial refuse to take a Prisoner into Custody.

And if the Offence for which the Prisoner was apprehended deserv'd Death, the Provost-Martial failing to

to receive and keep him as aforesaid shall be liable to the same Punishment.

ART. LXI.

If a Person be committed by the Provost-Martial's own Authority, the Chief Commander must be acquainted with it.

If any Person be committed by the Provost-Martial's own Authority without other Command, he shall acquaint the General or other Chief Commander with the Cause within twenty four hours, and the Provost-Martial shall thereupon discharge him unless he have Order to the contrary.

ART. LXII.

The Penalty of using Menacing Words, Signs or Actions in a place of Judicature.

No man shall presume to use any Braving or Menacing Words, Signs or Gestures where any of the aforesaid Courts of Justice are sitting, upon pain of suffering such Punishment as the Court-Martial shall think fit.

ART. LXIII.

All things are to be made known by Beat of Drum, or the Sound of Trumpet, and then obeyed.

Whatever is to be Published or generally made known, shall be done by Beat of Drum, or the Sound of Trumpet, That no man may pretend Ignorance thereof: And if after that

one shall be found disobedient or
 transgressing what is so Published, he
 shall be punished according to these
 Articles, or the quality of the Fact.

ART. LXIV.

All other faults, misdemeanours
 Disorders not mentioned in these
 Articles, shall be Punished according
 to the Laws and Customs of War,
 in the discretion of the Court-Martial;
 provided that no Punishment ac-
 counting to the loss of Life or
 Limb, be inflicted upon any Offen-
 der in time of Peace, although the
 same be allotted for the said Offence
 by these Articles, and the Laws and
 Customs of War,

F I N I S.